

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

EUKOR CAR CARRIERS, INC.,

Plaintiff,

v.

ATI USA INC., et al.

Defendants.

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Civil Action No. 13-167 (FSH)

ORDER TO SHOW CAUSE

This matter having come before the Court for a telephone status conference on July 9, 2014; and the Court noting that by way of letter dated June 9, 2014, David D. Gabel, Esq., of The Law Office of Doyle & Doyle, counsel for Defendants ATI Container Services, LLC, ATI USA Inc., and MJ Group Limited-Morgan Jones, LLC (“MJ Group”), sought to be relieved as counsel for Defendants ATI USA, Inc., and MJ Group in light of their discharge of Doyle & Doyle as counsel in this action [Docket Entry No. 55]; and the Court further noting it had denied the application to withdraw as counsel without prejudice at that time and directed Defendants ATI USA and MJ Group to retain new counsel or indicate their intention to default by no later than June 30, 2014 [Docket Entry No. 56]; and the Court further noting that Mr. Gabel, by way of letter dated June 27, 2014, informed the Court that Defendants ATI USA and MJ Group were unable to retain new counsel due to their inability to pay for existing and anticipated litigation costs [Docket Entry No. 57]; and for good cause shown;

IT IS on this **10th** day of **July, 2014**,

ORDERED that representatives for Defendants are to appear **in person** before the

Honorable James B. Clark, III, U.S.M.J., Courtroom 1, 2 Federal Square, Newark, New Jersey 07102, on **July 31, 2014 at 2:00 p.m.**, to show cause why counsel should not be relieved for Defendants' ATI USA and MJ Group and why their Answers should not be stricken and default entered against them; and it is further

ORDERED that Defendants may submit a position paper as to whether there is good cause why their Answer should not be stricken by no later than **July 21, 2014**; and it is further

ORDERED that Plaintiff may file a response paper by no later than **July 28, 2014**; and it is further

ORDERED that should Defendants fail to submit a position paper, or appear at the aforementioned Order to Show Cause scheduled to take place on **July 31, 2014 at 2:00 p.m.**, then the Court may strike Defendants' Answer without further notice.

ORDERED that counsel for Defendants is to serve Defendants ATI USA and MJ Group by certified mail and email and file an affidavit of service on the Docket prior to the July 31 conference; and it is further

ORDERED that during the July 31 conference, the Court will discuss the settlement and status of the case with the remaining parties.

s/James B. Clark, III
HONORABLE JAMES B. CLARK, III
UNITED STATES MAGISTRATE JUDGE